


JAN 11 2006


Approved for use through 07/31/2008 OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/781,380	
	Filing Date	February 18, 2004	
	First Named Inventor	KENNEDY	
	Art Unit	3732	
	Examiner Name		
Total Number of Pages in This Submission	4	Attorney Docket Number	6865-20-2

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): copy of Applicant's birth certificate
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-0951.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Mark D. Passler, Registration No. 40,764 Akerman Senterfitt
Signature	
Date	1-11-06

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below			
Typed or printed name	Mark D. Passler		
Signature		Date	1-11-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

JAN 11 2006

In re Application of KENNEDY et al.

Application No. 10/781,380

Examiner:

Filed: February 18, 2004

Group Art Unit: 3732

For: HAIR COLORING DEVICE AND METHODS

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(c)CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 1-11-06.

 Reg. No. 40,764
Mark D. Passler

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.102 and MPEP 708.02, paragraph IV, Applicants hereby petition to make special for an advancement of examination the above-referenced patent application. Pursuant to 37 C.F.R. §1.102(c) no statutory fee is required for this Petition. However, the Commissioner is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees paid on the filing, or during prosecution of this application to Deposit Account No. 50-0951.

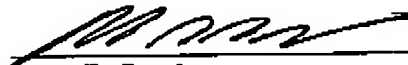
In accordance with the provisions of 37 CFR §1.102(c) and MPEP 708.02, paragraph IV, entitled "APPLICANTS AGE" Applicants respectfully request advancement of examination for the above-referenced patent application. One of the named inventors, Inventor Melvin R.

Kennedy, was born on August 22, 1940. Accordingly, the age of Applicant Melvin R. Kennedy is currently 65, which fulfills the statutory requirement under 37 CFR §1.102(c) for an applicant to be 65 years of age or older. A copy of Applicant Melvin R. Kennedy's birth certificate is enclosed as evidence of his age.

Applicants respectfully request a timely grant of this petition to make special for an advancement of examination under 37 CFR §1.102(c) and MPEP 708.02.

Respectfully submitted,

Date: 1-11-06


Mark D. Passler
Registration No. 40,764
AKERMANTENTERFITT
P.O. Box 3188
West Palm Beach, FL 33401-3188
Telephone: (561) 653-5000
Facsimile: (561) 659-6313

Docket No. 6865-20-2

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY of TULARE

VISALIA, CALIFORNIA

DISTRICT NO. 5454 SUBSTANTIAL NO. 67

1. FULL NAME OF CHILD MELVIN RAY KENNEDY		2. SEX Male		3. TIME OF BIRTH TRIPLET		4. USUAL RESIDENCE OF MOTHER California		5. LENGTH OF RESIDENCE IN CALIFORNIA 1118	
6. PLACE OF BIRTH: (A) COUNTY Tulare		(B) CITY OR TOWN Strathmore - Rural		(C) NAME OF HOSPITAL OR INSTITUTION At Home - Strathmore		(D) DATE OF BIRTH August 22, 1940		(E) STREET AND ADDRESS Rural	
7. FATHER OF CHILD 8. FULL NAME Stanley Paul Kennedy		9. COLOR OR RACE White		10. AGE AT TIME OF BIRTH 26		11. LENGTH OF RESIDENCE IN CALIFORNIA California		12. BIRTHPLACE California	
13. USUAL OCCUPATION Rancher		14. INDUSTRY OR BUSINESS		15. MOTHER OF CHILD 16. FULL NAME Dorothy Elizabeth Gerdes		17. COLOR OR RACE White		18. AGE AT TIME OF BIRTH 23	
19. BIRTHPLACE California		20. USUAL OCCUPATION Housewife		21. LENGTH OF RESIDENCE IN CALIFORNIA California		22. BIRTHPLACE California		23. USUAL OCCUPATION Housewife	
24. DATE RECEIVED BY LOCAL REGISTRAR 9/2/1940		25. REGISTRAR'S SIGNATURE W. R. Means		26. GIVEN NAME ADDED none		27. (A) SEX Male		28. (B) TIME OF BIRTH TRIPLET	
29. (C) LENGTH OF RESIDENCE IN CALIFORNIA California		30. (D) BIRTHPLACE California		31. (E) USUAL OCCUPATION Rancher		32. (F) INDUSTRY OR BUSINESS		33. (G) MOTHER'S MARITAL STATUS FOR CERTIFICATION NOTICE At 2 Box 1224	
34. (H) STREET AND ADDRESS Strathmore Calif.		35. (I) DATE OF BIRTH August 22, 1940		36. (J) STREET AND ADDRESS Strathmore Calif.		37. (K) DATE OF BIRTH August 22, 1940		38. (L) STREET AND ADDRESS Strathmore Calif.	
39. (M) DATE OF BIRTH August 22, 1940		40. (N) STREET AND ADDRESS Strathmore Calif.		41. (O) DATE OF BIRTH August 22, 1940		42. (P) STREET AND ADDRESS Strathmore Calif.		43. (Q) DATE OF BIRTH August 22, 1940	
44. (R) STREET AND ADDRESS Strathmore Calif.		45. (S) DATE OF BIRTH August 22, 1940		46. (T) STREET AND ADDRESS Strathmore Calif.		47. (U) DATE OF BIRTH August 22, 1940		48. (V) STREET AND ADDRESS Strathmore Calif.	
49. (W) DATE OF BIRTH August 22, 1940		50. (X) STREET AND ADDRESS Strathmore Calif.		51. (Y) DATE OF BIRTH August 22, 1940		52. (Z) STREET AND ADDRESS Strathmore Calif.		53. (AA) DATE OF BIRTH August 22, 1940	
54. (AB) STREET AND ADDRESS Strathmore Calif.		55. (AC) DATE OF BIRTH August 22, 1940		56. (AD) STREET AND ADDRESS Strathmore Calif.		57. (AE) DATE OF BIRTH August 22, 1940		58. (AF) STREET AND ADDRESS Strathmore Calif.	
59. (AG) DATE OF BIRTH August 22, 1940		60. (AH) STREET AND ADDRESS Strathmore Calif.		61. (AI) DATE OF BIRTH August 22, 1940		62. (AJ) STREET AND ADDRESS Strathmore Calif.		63. (AK) DATE OF BIRTH August 22, 1940	
64. (AL) STREET AND ADDRESS Strathmore Calif.		65. (AM) DATE OF BIRTH August 22, 1940		66. (AN) STREET AND ADDRESS Strathmore Calif.		67. (AO) DATE OF BIRTH August 22, 1940		68. (AP) STREET AND ADDRESS Strathmore Calif.	
69. (AQ) DATE OF BIRTH August 22, 1940		70. (AR) STREET AND ADDRESS Strathmore Calif.		71. (AS) DATE OF BIRTH August 22, 1940		72. (AT) STREET AND ADDRESS Strathmore Calif.		73. (AU) DATE OF BIRTH August 22, 1940	
74. (AV) STREET AND ADDRESS Strathmore Calif.		75. (AW) DATE OF BIRTH August 22, 1940		76. (AX) STREET AND ADDRESS Strathmore Calif.		77. (AY) DATE OF BIRTH August 22, 1940		78. (AZ) STREET AND ADDRESS Strathmore Calif.	
79. (BA) DATE OF BIRTH August 22, 1940		80. (BB) STREET AND ADDRESS Strathmore Calif.		81. (BC) DATE OF BIRTH August 22, 1940		82. (BD) STREET AND ADDRESS Strathmore Calif.		83. (BE) DATE OF BIRTH August 22, 1940	
84. (BF) STREET AND ADDRESS Strathmore Calif.		85. (BG) DATE OF BIRTH August 22, 1940		86. (BH) STREET AND ADDRESS Strathmore Calif.		87. (BI) DATE OF BIRTH August 22, 1940		88. (BJ) STREET AND ADDRESS Strathmore Calif.	
89. (BK) DATE OF BIRTH August 22, 1940		90. (BL) STREET AND ADDRESS Strathmore Calif.		91. (BM) DATE OF BIRTH August 22, 1940		92. (BN) STREET AND ADDRESS Strathmore Calif.		93. (BO) DATE OF BIRTH August 22, 1940	
94. (BP) STREET AND ADDRESS Strathmore Calif.		95. (BQ) DATE OF BIRTH August 22, 1940		96. (BR) STREET AND ADDRESS Strathmore Calif.		97. (BS) DATE OF BIRTH August 22, 1940		98. (BT) STREET AND ADDRESS Strathmore Calif.	
99. (BU) DATE OF BIRTH August 22, 1940		100. (BV) STREET AND ADDRESS Strathmore Calif.		101. (BW) DATE OF BIRTH August 22, 1940		102. (BX) STREET AND ADDRESS Strathmore Calif.		103. (BY) DATE OF BIRTH August 22, 1940	
104. (BZ) STREET AND ADDRESS Strathmore Calif.		105. (CA) DATE OF BIRTH August 22, 1940		106. (CB) STREET AND ADDRESS Strathmore Calif.		107. (CC) DATE OF BIRTH August 22, 1940		108. (CD) STREET AND ADDRESS Strathmore Calif.	
109. (CE) DATE OF BIRTH August 22, 1940		110. (CF) STREET AND ADDRESS Strathmore Calif.		111. (CG) DATE OF BIRTH August 22, 1940		112. (CH) STREET AND ADDRESS Strathmore Calif.		113. (CI) DATE OF BIRTH August 22, 1940	
114. (CJ) STREET AND ADDRESS Strathmore Calif.		115. (CK) DATE OF BIRTH August 22, 1940		116. (CL) STREET AND ADDRESS Strathmore Calif.		117. (CM) DATE OF BIRTH August 22, 1940		118. (CN) STREET AND ADDRESS Strathmore Calif.	
119. (CO) DATE OF BIRTH August 22, 1940		120. (CP) STREET AND ADDRESS Strathmore Calif.		121. (CQ) DATE OF BIRTH August 22, 1940		122. (CR) STREET AND ADDRESS Strathmore Calif.		123. (CS) DATE OF BIRTH August 22, 1940	
124. (CT) STREET AND ADDRESS Strathmore Calif.		125. (CU) DATE OF BIRTH August 22, 1940		126. (CV) STREET AND ADDRESS Strathmore Calif.		127. (CW) DATE OF BIRTH August 22, 1940		128. (CX) STREET AND ADDRESS Strathmore Calif.	
129. (CY) DATE OF BIRTH August 22, 1940		130. (CZ) STREET AND ADDRESS Strathmore Calif.		131. (DA) DATE OF BIRTH August 22, 1940		132. (DB) STREET AND ADDRESS Strathmore Calif.		133. (DC) DATE OF BIRTH August 22, 1940	
134. (DD) STREET AND ADDRESS Strathmore Calif.		135. (DE) DATE OF BIRTH August 22, 1940		136. (DF) STREET AND ADDRESS Strathmore Calif.		137. (DG) DATE OF BIRTH August 22, 1940		138. (DH) STREET AND ADDRESS Strathmore Calif.	
139. (DI) DATE OF BIRTH August 22, 1940		140. (DJ) STREET AND ADDRESS Strathmore Calif.		141. (DK) DATE OF BIRTH August 22, 1940		142. (DL) STREET AND ADDRESS Strathmore Calif.		143. (DM) DATE OF BIRTH August 22, 1940	
144. (DN) STREET AND ADDRESS Strathmore Calif.		145. (DO) DATE OF BIRTH August 22, 1940		146. (DP) STREET AND ADDRESS Strathmore Calif.		147. (DQ) DATE OF BIRTH August 22, 1940		148. (DR) STREET AND ADDRESS Strathmore Calif.	
149. (DS) DATE OF BIRTH August 22, 1940		150. (DT) STREET AND ADDRESS Strathmore Calif.		151. (DU) DATE OF BIRTH August 22, 1940		152. (DV) STREET AND ADDRESS Strathmore Calif.		153. (DW) DATE OF BIRTH August 22, 1940	
154. (DX) STREET AND ADDRESS Strathmore Calif.		155. (DY) DATE OF BIRTH August 22, 1940		156. (DZ) STREET AND ADDRESS Strathmore Calif.		157. (EA) DATE OF BIRTH August 22, 1940		158. (EB) STREET AND ADDRESS Strathmore Calif.	
159. (EC) DATE OF BIRTH August 22, 1940		160. (ED) STREET AND ADDRESS Strathmore Calif.		161. (EE) DATE OF BIRTH August 22, 1940		162. (EF) STREET AND ADDRESS Strathmore Calif.		163. (EG) DATE OF BIRTH August 22, 1940	
164. (EH) STREET AND ADDRESS Strathmore Calif.		165. (EI) DATE OF BIRTH August 22, 1940		166. (EJ) STREET AND ADDRESS Strathmore Calif.		167. (EK) DATE OF BIRTH August 22, 1940		168. (EL) STREET AND ADDRESS Strathmore Calif.	
169. (EM) DATE OF BIRTH August 22, 1940		170. (EN) STREET AND ADDRESS Strathmore Calif.		171. (EO) DATE OF BIRTH August 22, 1940		172. (EP) STREET AND ADDRESS Strathmore Calif.		173. (EQ) DATE OF BIRTH August 22, 1940	
174. (ER) STREET AND ADDRESS Strathmore Calif.		175. (ES) DATE OF BIRTH August 22, 1940		176. (ET) STREET AND ADDRESS Strathmore Calif.		177. (EU) DATE OF BIRTH August 22, 1940		178. (EV) STREET AND ADDRESS Strathmore Calif.	
179. (EW) DATE OF BIRTH August 22, 1940		180. (EX) STREET AND ADDRESS Strathmore Calif.		181. (EY) DATE OF BIRTH August 22, 1940		182. (EZ) STREET AND ADDRESS Strathmore Calif.		183. (FA) DATE OF BIRTH August 22, 1940	
184. (FB) STREET AND ADDRESS Strathmore Calif.		185. (FC) DATE OF BIRTH August 22, 1940		186. (FD) STREET AND ADDRESS Strathmore Calif.		187. (FE) DATE OF BIRTH August 22, 1940		188. (FF) STREET AND ADDRESS Strathmore Calif.	
189. (FG) DATE OF BIRTH August 22, 1940		190. (FH) STREET AND ADDRESS Strathmore Calif.		191. (FI) DATE OF BIRTH August 22, 1940		192. (FJ) STREET AND ADDRESS Strathmore Calif.		193. (FK) DATE OF BIRTH August 22, 1940	
194. (FL) STREET AND ADDRESS Strathmore Calif.		195. (FM) DATE OF BIRTH August 22, 1940		196. (FN) STREET AND ADDRESS Strathmore Calif.		197. (FO) DATE OF BIRTH August 22, 1940		198. (FP) STREET AND ADDRESS Strathmore Calif.	
199. (FQ) DATE OF BIRTH August 22, 1940		200. (FR) STREET AND ADDRESS Strathmore Calif.		201. (FS) DATE OF BIRTH August 22, 1940		202. (FT) STREET AND ADDRESS Strathmore Calif.		203. (FU) DATE OF BIRTH August 22, 1940	
204. (FV) STREET AND ADDRESS Strathmore Calif.		205. (FW) DATE OF BIRTH August 22, 1940		206. (FX) STREET AND ADDRESS Strathmore Calif.		207. (FY) DATE OF BIRTH August 22, 1940		208. (FZ) STREET AND ADDRESS Strathmore Calif.	
209. (GA) DATE OF BIRTH August 22, 1940		210. (GB) STREET AND ADDRESS Strathmore Calif.		211. (GC) DATE OF BIRTH August 22, 1940		212. (GD) STREET AND ADDRESS Strathmore Calif.		213. (GE) DATE OF BIRTH August 22, 1940	
214. (GF) STREET AND ADDRESS Strathmore Calif.		215. (GG) DATE OF BIRTH August 22, 1940		216. (GH) STREET AND ADDRESS Strathmore Calif.		217. (GI) DATE OF BIRTH August 22, 1940		218. (GJ) STREET AND ADDRESS Strathmore Calif.	
219. (GK) DATE OF BIRTH August 22, 1940		220. (GL) STREET AND ADDRESS Strathmore Calif.		221. (GM) DATE OF BIRTH August 22, 1940		222. (GN) STREET AND ADDRESS Strathmore Calif.		223. (GO) DATE OF BIRTH August 22, 1940	
224. (GP) STREET AND ADDRESS Strathmore Calif.		225. (GQ) DATE OF BIRTH August 22, 1940		226. (GR) STREET AND ADDRESS Strathmore Calif.		227. (GS) DATE OF BIRTH August 22, 1940		228. (GT) STREET AND ADDRESS Strathmore Calif.	
229. (GU) DATE OF BIRTH August 22, 1940		230. (GV) STREET AND ADDRESS Strathmore Calif.		231. (GW) DATE OF BIRTH August 22, 1940		232. (GX) STREET AND ADDRESS Strathmore Calif.		233. (GY) DATE OF BIRTH August 22, 1940	
234. (GZ) STREET AND ADDRESS Strathmore Calif.		235. (HA) DATE OF BIRTH August 22, 1940		236. (HB) STREET AND ADDRESS Strathmore Calif.		237. (HC) DATE OF BIRTH August 22, 1940		238. (HD) STREET AND ADDRESS Strathmore Calif.	
239. (HE) DATE OF BIRTH August 22, 1940		240. (HE) STREET AND ADDRESS Strathmore Calif.		241. (HE) DATE OF BIRTH August 22, 1940		242. (HE) STREET AND ADDRESS Strathmore Calif.		243. (HE) DATE OF BIRTH August 22, 1940	

BEST AVAILABLE COPY

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

CERTIFICATE OF LIVE BIRTH

U. S. DEPT. OF COMMERCE
BUREAU OF THE CENSUS

173275

CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA
COUNTY OF TULARE

This is a true and exact reproduction of the document officially registered and placed on file in the office of the Tulare County Recorder.

DATE ISSUED OCT-25-2002

This copy not valid unless prepared on engraved border displaying date, seal and signature of Recorder.

ANY ALTERATION OR FALSIFICATION OF THIS CERTIFICATE